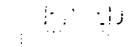
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO



STATE OF NEW MEXICO ex rel. State Engineer,

Plaintiff,

v.

RAMON ARAGON, et al.,

Defendants.

05 AUG 12 PH 3: 06

CLERK-SANTA FE 69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM

Rito de Tierra Amarilla, Section 7

Subfile No.: CHTA-004-0030

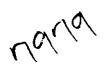
CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant(s):

CECIL L. COX

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

- 1. The Court has jurisdiction over the parties and the subject matter of this suit.
- 2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Rito de Tierra Amarilla, Section 7, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.
- 3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.



4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Rito de Tierra Amarilla, Section 7, is set forth below:

A. NO RIGHT (Surface Water Only):

Office of the State Engineer Files No(s) NONE

Priority: NONE

Source of Water: NONE
Purpose of Use: NO RIGHT

Point of Diversion:

Ditch: NONE

Location: X = 0 feet Y = 0 feet

New Mexico State Plane Coordinate System. Central Zone, NAD 1983

Location and Amount of Acreage

Within the Tierra Amarilla Grant 409.0 acres

Total 409.0 acres

As shown on the 2001 Hydrographic Survey Map CHTA- 4.

Amount of Water: NONE

5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Rito de

Tierra Amarilla, Section 7, other than those set forth in this order and those other orders
entered by this Court in this cause.

6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Rito de Tierra

Amarilla, Section 7, except in strict accordance with the water rights described herein.

7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Rito de Tierra Amarilla, Section 7, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System. Rito de Tierra Amarilla, Section 7, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.

UNITED STATES DISTRICT JUDGE

Recommended for approval:

Vulue L. Dasm

SPECIAL MASTER

SIGNATURE Cel

CECIL L. CON

ADDRESS:

100010

DATE:

- 37551 4/23/05

EDWARD G. NEWVILLE

Special Assistant Attorney General

5.2.05

Date

Subfile No.: CHTA-004-0030